

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.202(b),

FM Table of Allotments,

FM Broadcast Stations.

(Lost Cabin and Arapahoe, Wyoming)

MM Docket No. 01-86

RM-10079

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 2, 2005

Released: February 4, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it for consideration a *Notice of Proposed Rulemaking*¹ filed by Idaho Broadcasting Consortium, Inc. ("Petitioner"), licensee of Station KQYW(FM) (formerly KSXZ(FM)) proposing the reallocation of Channel 256C from Lost Cabin to Arapahoe, Wyoming, and the modification of Station KQYW(FM)'s license accordingly.² Petitioner subsequently filed a letter requesting to dismiss its petition.³ No other pleadings were received.

2. A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. Therefore, we will grant the request to dismiss the instant proposal.

3. This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this Report and Order to GAO, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A) because the proposed rule was dismissed.

4. Accordingly, IT IS ORDERED, That, as requested, the petition for rule making filed by Idaho Broadcasting Consortium, Inc., IS DISMISSED.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

¹ *Lost Cabin and Arapahoe, Wyoming*, 16 FCC Rcd 7809 (MM 2001).

² On October 9, 2001, Station KQYW(FM) was granted a license to cover its construction permit. *See* File No. BLH-20010730AAA.

³ Pursuant to Section 1.420(j) of the Commission's Rules, petitioner states that it did not receive consideration for the dismissal of its petition for rule making.

6. For further information concerning this proceeding, contact Sharon P. McDonald, Media Bureau, (202) 418-2180.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
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